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REMARKS

Claims 1-8, 10-23, 25-40 and 42-48 remain present in this application. Claims 1-5, 8, 10-14, 16-20, 23 and 25-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,144,938 (hereinafter Surace) in view of U.S. Patent No. 6,336,091 (hereinafter Polikaitis) and in further view of U.S. Patent No. 5,553,121 (hereinafter Martin); claims 15, 32-37, 40 and 42-48 were rejected under 35 U.S.C. §103(a) as being unpatentable over Surace in view of Polikaitis and Martin and in further view of U.S. Patent No. 6,240,347 (hereinafter Everhart); and claims 6-7, 21-22 and 38-39 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form to include all limitations of any base claim and any intervening claim. For the reasons further set forth below, Applicants respectfully submit that claims 1-8, 10-23, 25-40 and 42-48 are all allowable. Applicants have included herewith a request for two-month extension of time to respond along with an authorization to charge the appropriate fee to Applicants' legal representative's deposit account.

At the outset, Applicants once again note that Surace is directed to a voice user interface with personality (or attitude). Surace defines the term "personality," at column 3, lines 23-36, as a voice interface that can be one of friendly-dominant, friendly-submissive, unfriendly-dominant and unfriendly-submissive. Thus, depending upon a specific user's preference, the Surace system can provide an appropriate personality to interface with the user. Applicants once again note that while Surace provides prompts that are subscriber specific (i.e., friendly-dominant, friendly-submissive, unfriendly-dominant and unfriendly-submissive), the identity of a specific user is determined by a login and password (see Fig. 18 and column 22, line 50 through column 23, line 12) and not by associating a voice input with a specific user. Further, Surace does not disclose using a user specific time period to determine when to provide adaptive voice feedback to a specific user associated with the user specific time period. In fact, the Office Action admits at pages 4 that "Surace and Polikaitis do not teach a user specific time period."

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Further, Applicants specifically note that Martin is not directed to a system that receives voice input. That is, Martin merely discloses a system that provides voice prompts and receives DTMF tones to determine a user's intentions (see column 5, lines 15-34 and column 7, lines 7-44). Applicants further note, the content of the Martin prompt changes responsive to a user's average response time. Page 4 of the present Office Action states "Martin ... teaches a voice response system for varying the voice menus and segments presented to the user of a voice response system according to the competence of the user. The user's average response time is measured and stored in a user profile and is used for subsequent user interaction with the facility. As the user's average response time changes, the new response time is stored and the system [provides] interacts and provides feedback according to the user's competence. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to implement a user specific response time period as suggested by Martin, in the voice user interface system of Surace, for the purpose of allowing experienced users the capabilities of entering requests or information without waiting for the elapsing of novice or inexperienced level response periods, as suggested by Martin."

However, as noted above, Applicants submit that this rationale completely misses the point. That is, the fact that Martin discloses changing the content of a system provided voice prompt responsive to an average user response time does not teach or suggest implementing user specific time periods to determine when to provide adaptive voice feedback to a specific user. To reiterate, none of the cited references of record, alone or in combination, teach or suggest using a user specific time period to determine when to provide adaptive voice feedback to a specific user associated with the user specific time period.

With specific reference to Polikaitis, while Polikaitis discloses a system that performs speech recognition and provides instructions for correcting errors associated with a speech signal format, Polikaitis does not add anything to Surace that is relevant to Applicants' claimed subject matter. That is, the fact that Polikaitis discloses that prior art speech recognition systems have not worked when a user does not say anything during a recognition window (column 1, lines 44-51) does not in combination with Surace teach or suggest Applicants'

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claimed subject matter, as is discussed above. In addition, with respect to Polikaitis, column 2, lines 46-48, deactivating or halting speech recognition processing so that a user may correct an error (see Fig. 4) in a speech recognition format is not the same as "deactivating a speech recognition driven system when a user has failed to respond for a user specific set number of predetermined user specific time periods at a given level."

More specifically, with respect to claims 1, 16 and 33, Applicants still cannot find any teaching or suggestion in Surace and/or Polikaitis and/or Martin (and/or Everhart, with respect to claim 33) that is directed to using a user specific time period to determine when to provide adaptive voice feedback to a specific user associated with the user specific time period. In addition, Applicants still cannot find any teaching or suggestion in Surace and/or Polikaitis and/or Martin (and/or Everhart) that is directed to providing adaptive voice feedback that is level dependent and that provides available commands for a current level. The present Office Action cites Surace, Abstract and column 10, lines 21 to column 11, line 25, and, more specifically, column 10, lines 51-63, as teaching level dependent voice feedback. However, Applicants note that step 710 refers to Fig. 7, which is merely directed to a "help" routine that provides "help" (i.e., a voice output) upon a user's request (i.e., a voice input) or need. To date, the current and previous Office Actions only characterize the cited references as teaching Applicants' claimed subject matter. Applicants again respectfully request the Examiner direct them to a specific passage in one or more of the cited references where the alleged teachings are present.

With respect to the Office Action statement that Surace (Abstract and column 10, line 21 through column 11, line 25) teaches level dependent adaptive voice feedback that provides available commands for a current level, the fact that system prompts to a user are set by a user's preference and may be shortened as a user's experience with the system increases does not teach or suggest providing available level dependent commands to a user.

With respect to claims 2, 17 and 34, Applicants still cannot find any teaching or suggestion in Surace and/or Polikaitis and/or Martin (and/or Everhart, with respect to claim 34) that is directed to tracking a number of times in which a user has failed to respond for a

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predetermined user specific time period at a given level and deactivating a speech recognition driven system when a user has failed to respond for a user specific set number of the predetermined user specific time periods at the given level. With reference to the cited Surace passage at column 14, lines 52-57, the cited passage merely discloses tracking the use of a specific prompt in a prompt history. Again, this does not teach or suggest tracking the number of times in which a specific user has failed to respond for a predetermined user specific time period at a given level.

With respect to the Surace passage at column 10, line 21 through column 11, line 25, the passage merely discloses lengthening or shortening a prompt provided to a user, based upon whether a particular prompt is being repeated in a same session or across sessions. In sum, Applicants agree that Surace and Polikaitis do not teach a user specific time period. However, Applicants submit that the combination of Polikaitis, Surace and Martin (and Everhart) also does not teach or suggest such a system, and, again, submit that any assertion to the contrary must be based on impermissible hindsight, based on Applicants' disclosure. Again, with respect to Polikaitis, column 2, lines 48-50, deactivating or halting speech recognition processing so that a user can correct an error in a speech signal format does not render obvious deactivating a speech recognition system when a user has failed to respond for a user specific set number of predetermined user specific time periods at a given level.

Further, with respect to claims 5, 20 and 37, Applicants still cannot find any teaching or suggestion in Surace and/or Polikaitis and/or Martin (and/or Everhart, with respect to claim 37) that is directed to a speech recognition driven system that adjusts a predetermined user specific time period, or a user specific set number of predetermined user specific time periods as the ability of the specific user changes. In addition, Applicants submit that dependent claims 2-8, 10-15, 17-23, 25-32, 34-40 and 42-48 are also dependent upon allowable claims and, as such, are also allowable for this reason.

Applicants respectfully submit that this reply is fully responsive to the Office Action mailed July 28, 2004, and request further consideration of the matter.

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CONCLUSION

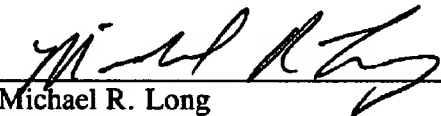
For all the foregoing reasons, Applicants respectfully submit that claims 1-8, 10-23, 25-40 and 42-48 are allowable. If the Examiner has any questions or comments with respect to this response, the Examiner is invited to contact the undersigned at (616) 949-9610.

Respectfully submitted,

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